

REMARKS/ARGUMENTS

In the Office Action mailed October 2, 2007 (hereinafter, "Office Action"), claims 1, 3-17 and 19-30 stand rejected under 35 U.S.C. § 103. Claims 1, 12, 16, 19-23, 26 and 28 have been amended. Claims 3-4 have been canceled.

Applicant respectfully responds to the Office Action.

I. Specification

The Office Action suggested the inclusion of a Brief Summary of the Invention section. (Office Action, page 2). The relevant section of the MPEP states that the "following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use." (MPEP 608.01(a) ¶ 6.01, emphasis added). Additionally, the CFR states that the Brief Summary "should, when set forth, be commensurate with the invention as claimed." (37 CFR 1.73, emphasis added). Therefore, the CFR does not require a Brief Summary of the Invention. The only *requirement* of the specification is that it "include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same." (37 CFR 1.71). Applicant respectfully submits that the suggested inclusion of a Brief Summary of the Invention, therefore, is merely a suggestion and requests that any objection to the Specification headings be withdrawn.

II. Claims 1, 3-17 and 19-30 Rejected Under 35 U.S.C. § 103(a)

Claims 1, 3-17 and 19-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,519,048 to Tanaka et al. (hereinafter, "Tanaka") in view of U.S. Patent No. 6,469,796 to Leiman et al. (hereinafter, "Leiman"). This rejection is respectfully traversed.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims

in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. (*KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. ___, 2007 U.S. LEXIS 4745, at **4-5 (2007) (citing *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 17-18 (1966))). To establish a *prima facie* case of obviousness, the prior art references “must teach or suggest all the claim limitations.” (M.P.E.P. § 2142). Moreover, the analysis in support of an obviousness rejection “should be made explicit.” (*KSR*, 2007 U.S. LEXIS 4745, at **37). “[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” (*Id.* (citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006))).

Applicant respectfully submits that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the subject matter in these claims.

Claim 1 has also been amended to recite “receiving the status message by the computer system.” This amendment is supported by at least paragraph [21] of Applicant’s specification. Claim 1 has also been amended to recited “verifying, by the computer system, that the imaging job of the status message originated on the computer system, wherein the status message is ignored if it is not verified, wherein the status message is processed if it is verified.” This amendment is supported by at least paragraph [115] of Applicant’s specification.

Office Action asserts that Tanaka teaches “verifying that the imaging job of the status message originated on the client computing device.” (Office Action, page 4). Applicant respectfully disagrees.

Instead, as best understood, Tanaka teaches an “image forming apparatus and an image forming method” comprising “means for notifying the [print job issuer] of the notice data.” (Tanaka, col. 1, lines 8-9; col. 6, lines 3-14). Or, in other words, a “system” that sends “print status information” to the print “job issuer.” This is not the same as “verifying...that the imaging job of the status message originated on the [client] computer system.” Tanaka does teach that a “print result could be notified to the client” and consequently “the confirmation [to the print server] from the client” may be sent. (Tanaka, fig. 7; col. 15, lines 29-37). However, there is no “verifying, by the

[client], that the imaging job of the status message originated on the computer system” as claimed by Applicant. Tanaka merely states that the client “receive[s]” the “notice data” and then “confirms” that it “*was received*” by the client, not that it *originated* from the client. In contrast, Applicant claims that the “computer system,” or “client” in the context of Tanaka, must “verify[]” the origin of the “imaging job of the status message” or it will be “ignored.” There is no verification of origin of the “imaging job” taught in Tanaka. As such, there cannot be a teaching that the “status message is ignored if it is not verified.” Thus, since there is no “verifying, by the [client], that the imaging job...originated on the [client]” taught in Tanaka or any consequences of such “verifying,” Tanaka does not teach this subject matter.

In view of the foregoing, Applicant respectfully submits that claim 1 is patentably distinct from the cited references. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn because Tanaka, alone or in combination with Leiman, does not teach or suggest all of the subject matter of claim 1.

Claims 5-15 depend either directly or indirectly from claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 5-15 be withdrawn.

Claims 16, 23, and 26 have been amended similarly. Accordingly, Applicant respectfully requests that the rejection of claims 16, 23, and 26 be withdrawn because Tanaka, alone or in combination with Leiman, does not teach or suggest all of the subject matter of claim 16, 23 and 26. Claims 17 and 19-22 depend either directly or indirectly from claim 16. Claims 24-25 depend either directly or indirectly from claim 23. Claims 27-30 depend either directly or indirectly from claim 26. Accordingly, Applicant respectfully requests that the rejection of claims 17, 19-22, 24-25, and 27-30 be withdrawn.

III. Conclusion

Applicant respectfully asserts that all pending claims are patentably distinct from the cited references, and requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley L. Austin', with a stylized flourish at the end.

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